

TM:EMN/JD
F.#2010R00510

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-267

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UNITED STATES OF AMERICA

TO BE FILED UNDER SEAL

-against-

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

DARYL ROSENBLATT,

Defendant.

(18 U.S.C. §§ 894(a)(1),
924(c) and 2)

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EASTERN DISTRICT OF NEW YORK, SS:

BRIAN NUGENT, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

On or about October 20, 2005, within the Eastern District of New York, the defendant DARYL ROSENBLATT, together with others, did knowingly and intentionally conspire to use extortionate means to collect an extension of credit from John Doe.

(Title 18, United States Code, Section 894(a)(1))

On or about October 20, 2005, within the Eastern District of New York, the defendant DARYL ROSENBLATT, together with others, did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit: a violation of Title 18, United States Code, Section 894(a)(1), and

did knowingly and intentionally possess said firearm in furtherance of that crime of violence, which firearm was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2)

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since 2003. I am currently assigned to an FBI squad that investigates the Bonanno organized crime family of La Cosa Nostra (the "Bonanno family"). During my tenure with the FBI, I have participated in organized crime investigations that have included, among other investigative techniques, the use of physical surveillance, execution of search warrants, consensual recordings of individuals associated with organized crime and debriefing of confidential sources and cooperating witnesses. Through my training, education and experience, I have become familiar with organized crime activities, including illegal activities involving different forms of loansharking and extortion.

2. Because this affidavit is being submitted for the purpose of establishing probable cause to arrest, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are

necessary to establish probable cause. The information set forth below is based upon my experience and training as an agent, my review of documents and other evidentiary items, debriefing of witnesses, and my discussions with other law enforcement agents. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only.

3. According to three witnesses who are cooperating with the government ("CW1," "CW2" and "CW3"),¹ in 2005, the defendant DARYL ROSENBLATT and six or seven others (including CW1, CW2 and CW3) traveled in two cars to a pizzeria located in Long Island, New York in order to confront a debtor who had failed to repay a loan. At one point, while driving to the pizzeria, one car was pulled over by the police and the other car waited on the shoulder of the highway, in front of the first car. They eventually arrived at the pizzeria. Thereafter, the debtor pulled up in a silver or gray Infiniti.

4. CW1, CW2 and CW3 have advised that CW3 and one of the other men with them, Joseph Young, escorted the debtor into a


¹ CW1, CW2 and CW3 have pled guilty pursuant to cooperation agreements with the government and are cooperating in the hope of receiving leniency at sentencing and entry into the Witness Security Program. The description herein of their information is based on reporting from other agents' debriefings of CW1, CW2 and CW3, each of whom has a serious criminal history. CW1, CW2 and CW3 have provided information that has been corroborated by, among other sources, consensual recordings, surveillance and physical evidence.

back room while ROSENBLATT and the others stayed in the dining area of the pizzeria. CW3 has advised that while CW3 and Young were in the back room with the debtor, they told the debtor, in sum and substance, to pay his debts while brandishing a gun. They then escorted the debtor out of the pizzeria.

5. Agents interviewed the defendant DARYL ROSENBLATT in August 2006. According to ROSENBLATT, within the year prior to the interview, he went to a pizzeria on Long Island with Joseph Young and five other individuals (three of whom are referred to herein as CW1, CW2 and CW3). They drove in two cars. They were stopped by the police on their way to the pizzeria. While at the pizzeria, the individual referred to herein as CW3 met with an unknown male. ROSENBLATT heard the individual referred to herein as CW3 say to the unknown male something to the effect of, "Do you have my money?" ROSENBLATT admitted that he understood that the individual referred to herein as CW3 was there to collect money from the unknown male. ROSENBLATT also ~~admitted~~ admitted that he was present at the pizzeria as "muscle," *for the collection of the debt.* ROSENBLATT further admitted that the individual referred to herein as CW3 and the unknown male went into a back room of the pizzeria. When they exited the back room, ROSENBLATT observed that the unknown male appeared to be scared. ROSENBLATT further admitted that Young was known to ROSENBLATT to carry a gun.

6. FBI surveillance, among other sources of evidence, confirms that the date of this incident was October 20, 2005. Through surveillance and other information, the FBI has determined that the pizzeria is Bella Roma Pizzeria, located in Coram, New York.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued so the defendant DARYL ROSENBLATT may be dealt with according to law.



BRIAN NUGENT
Special Agent
Federal Bureau of Investigation

Sworn to before me this
15th day of March 2010

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK